

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Courtney Travis Spinks

Docket No. 5:04-CR-112-1H

Petition for Action on Supervised Release

COMES NOW Linwood E. King, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Courtney Travis Spinks, who, upon an earlier plea of guilty to Possession With the Intent to Distribute Five (5) Grams or More of Cocaine Base (Crack) and Possession of a Firearm During and in Relation to a Drug Trafficking Crime, was sentenced by the Honorable Malcolm J. Howard, U.S. District Judge on April 6, 2005, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Courtney Travis Spinks was released from custody on May 22, 2013, at which time the term of supervised release commenced.

On July 21, 2014, the court was notified of the defendant being charged with Driving While Impaired and also returning a positive urine specimen confirming marijuana use. The defendant was continued on supervision and engaged in substance abuse treatment.

On August 12, 2014, the court was notified of the defendant being charged with misdemeanor Assault on a Female. The defendant was continued on supervision, and this charge was ultimately dismissed.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 23, 2016, the defendant was charged with misdemeanor Simple Possession of a Controlled Substance Schedule VI (16CR712107) in Wake County, North Carolina, after officers pulled over his vehicle for an expired registration tag. This charge remains pending in Wake County District Court. Additionally, the defendant has failed to report for scheduled urinalysis tests on the following dates: December 1, 2015; December 17, 2015; January 8, 2016; January 26, 2016; February 11, 2016; February 24, 2016; and March 8, 2016. Spinks ultimately admitted to this officer that he succumbed to urges of again using marijuana, and he has requested assistance with feelings of possible mental health concerns. We have referred Spinks to First Step Services to begin substance treatment as appropriate. To address this recent behavior, and in an effort to offer the defendant a resource to address his admitted issues, we are recommending that Spinks adhere to conditions of our home detention program, via an electronic monitoring device, for a period of 60 days. We also believe a mental health assessment and appropriate treatment could currently assist the defendant.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment,

attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

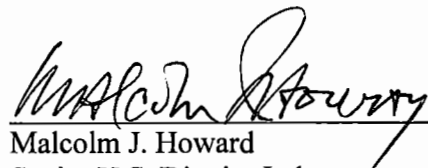
I declare under penalty of perjury that the foregoing
is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation Officer

/s/Linwood E. King
Linwood E. King
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8682
Executed On: March 10, 2016

ORDER OF THE COURT

Considered and ordered this 15th day of March, 2016 and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge